

**REMARKS**

Claims 1 and 3-46 are all of the claims pending in the application.

**I. Formal Matters**

Applicant thanks the Examiner for returning the PTO/SB/08 form submitted with the Information Disclosure Statement of January 31, 2008, and indicating that the documents cited therein have been considered.

**II. Summary of the Office Action**

Claims 1, 3-10, and 13-46 are withdrawn from consideration.

The Examiner withdrew the previous rejections of claims 11 and 12 under 35 U.S.C. § 103(a). However, claims 11 and 12 are now rejected under 35 U.S.C. § 103(a) over a new reference.

**III. Claim Rejections under 35 U.S.C. § 103(a)**

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,227,525 to Kishi (hereinafter "Kishi") in view of U.S. Patent No. 6,846,668 to Garman (hereinafter "Garman"). Applicant respectfully traverses this rejection.

Applicant is submitting herewith a certified English translation of priority document Japanese Patent Application No. 2002-213990, in order to perfect priority. Applicant respectfully submits that claims 11 and 12 are fully supported at least by Japanese Patent Application No. 2002-213990, which was filed on July 23, 2002, before the earliest effective date of the Kishi reference. Accordingly, Applicant respectfully submits that Kishi is removed as prior art under 35 U.S.C. § 102.

Thus, Applicant respectfully submits that the Kishi reference cannot preclude patentability under 35 U.S.C. § 103(a) and the rejection is thus improper. Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 103(a) rejection of claims 11 and 12.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Eric S. Barr/

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 29, 2008

\_\_\_\_\_  
Eric S. Barr  
Registration No. 60,150